REMARKS

This responds to the Final Office Action mailed on July 26, 2007. Reconsideration is respectfully requested.

Claims 23, 24, 29 and 30 are amended and claims 1, 10, 21, 25, and 28 are canceled; as a result, claims 2-9, 11-20, 22-24, 26, 27, 29 and 30 are now pending in this application.

Interview Summary

Applicant thanks Examiner Pankaj Kumar for the courtesy of a telephone discussion on August 13, 2007 with Applicant's representative Gregory J. Gorrie. According to the Examiner, claims 2-9, 13, and 14 should have been stated as being allowable in the Final Office Action mailed on July 26, 2007 because claim 2 is an independent claim that was previously amended to be allowable.

§103 Rejection of the Claims

Claims 1, 10 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Leung (U.S. 7,124,193) in view of Crilly (U.S. 7,177,369).

Claim 21 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over Leung in view of Cannella (U.S. 5,668,810) and Crilly.

Claim 25 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over Leung in view of Doynov (U.S. 2002/0163495) and Crilly.

Claims 1, 10, 21, 25, and 28 have been cancelled. Accordingly, the rejection of claims 1, 10, 21, 25, and 28 under 35 U.S.C. § 103(a) has been overcome.

Allowable Subject Matter

Claims 11, 12, 15-20, 22-24, 26, 27, 29, and 30 were allowed.

Claims 29 and 30 have been amended to recite a computer-readable medium rather than a machine readable medium.

Claims 23 and 24 have been amended to eliminate the word "either" which was used improperly.

AMENDMENT UNDER 37 C.F.R. 1.116 – EXPEDITED PROCEDURE

Serial Number: 10/675,892

Filing Date: September 29, 2003

Title: APPARATUS AND METHODS FOR COMMUNICATING USING SYMBOL-MODULATED SUBCARRIERS

Claims 2-9, 13, and 14 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant submits that claims 2-9, 13, and 14 are in condition for allowance.

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All claims pending the application are believed to be in condition for allowance.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (480) 659-3314 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Reg. No. 36,530